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AN ATTIC DECREE,  
THE SANCTUARY OF KODROS.<sup>1</sup>

[PLATE III-IV.]

TEXT.

Θεοί.

*Εδ]οχσεν τῇ βουλῇ καὶ τῷ δήμῳ · Πανδιονὶς ἐπρυτάνευε · Ἀριστόχ-  
σε]νος ἐγραμμάτευε · Ἀντιοχίδης ἐπεστάτει · Ἀντιφῶν ἤρχε · Ἀδοῦσι[ο-  
ς ε]ῖπε · εἰρῆσαι τὸ *Ἱερὸν τοῦ Κόδρου καὶ τοῦ Νηλέως καὶ τῆς Βασίλης* κ[α-  
5 *ὶ μισθῶσαι τὸ τέμενος κατὰ τὰς συγγραφάς* · οἱ δὲ πωληταὶ τὴν εἰρχσ[ι-  
ν] ἀπομισθωσάντων · τὸ δὲ τέμενος ὁ βασιλεὺς ἀπομισθωσάτω κατὰ [τ-  
ὰς χσυνγραφάς, καὶ τοὺς ὀριστὰς ἐπιπέμψαι ὀρίσαι τὰ *Ἱερὰ* ταῦτα  
ὅπως ἂν ἔχῃ ὡς βέλτιστα καὶ εὐσεβέστα · τὸ δὲ ἀργύριον ἐς τὴν εἰρχ-  
σιν ἀπὸ τοῦ τεμένους εἶναι · πράχσαι δὲ ταῦτα πρὶν ἢ *Ἡ ἐχσέναι* τήνδε  
10 *τὴν βουλὴν, ἢ Ἡ εὐθύνεσθαι χιλίμσι δραχμῇ[σ]ι ἕκαστον κατὰ τὰ εἰρη-  
μένα* · Ἀδοῦσιος εἶπε · τὰ μὲν ἄλλα καθάπερ τῇ βουλῇ, ὁ δὲ βασιλεὺς μ-  
ε]σθωσάτω καὶ οἱ πωληταὶ τὸ τέμενος τοῦ *Νηλέως καὶ τῆς Βασίλης* κα-  
τὰ τὰς χσυνγραφάς εἴκοσι ἔτη · τὸν δὲ μισθωσάμενον εἰρῆσαι τὸ *Ἱε-  
ρὸν τοῦ Κόδρου καὶ τοῦ Νηλέως καὶ τῆς Βασίλης* τοῖς ἑαυτοῦ τέλεσιν · ὅπ-*

<sup>1</sup> In making both the copy and the transcription of this decree the strict *στοιχηδὸν* order has been followed. The stone shows a few unimportant irregularities, but no attempt has been made to reproduce these. In other respects, I hope the copy is a careful one. The regular number of letters to the line is fifty-two, but there are in all six lines which vary from this standard. In the transcription the ordinary characters and spelling have been used, except in the case of *ψ* and *ξ*, and, inasmuch as the rough breathing is in general not indicated by the stone-cutter and the long *ε*-sound is for the most part represented by *Ε*, the character *Η* has been given wherever it is found on the stone. [From the stone-cutter's habit of omitting the rough breathing (as in *ἕκαστος*, *ἕκαστον*, ll. 10, 15; *ἄλας*, l. 35; *ὀριστὰς*, *ὀρίσαι*, l. 7; in *ἑαυτοῦ*, l. 14; in forms of the articles; in relative words—but note *καθάπερ*, l. 11: retaining it only in *ἱερὸν*, *ιερά*, ll. 4, 7, 30), no safe inference can be drawn as to any distinction made by him between the aspirated and unaspirated forms of *εἰρῆσαι* and *εἰρξίς*.—EDITOR.]

## TRANSLATION.

Θεοί.

A decree passed by the Senate and the people: The Pandionis held the prytany: Aristoxenos was Scribe: Antiochides was Epistates: Antiphon was Archon: Adousios made the motion:—To enclose the Sanctuary of Kodros, Neleus and Basile, and to let the temenos in accordance with the provisions of the commissioners.<sup>2</sup> The Poletai shall let the contract for the fencing in, and the Basileus shall let the temenos according to the provisions of the commissioners, and he shall further send the Horistai to fix the boundary of these Sanctuaries in whatever way shall be best and most after reverent usage. The money for the fencing in shall be taken from the treasury of the Sanctuary (τέμενος); and these matters shall be attended to before the present Senate is dissolved, or the Poletai and the Basileus (ἐξαστον) shall be liable to a fine of 1,000 drachmae, in accordance with the previous determinations (ἐξορημέναι).

Adousios moved the amendment: The provisions of the Senate are accepted; and the Basileus and the Poletai shall let the temenos of Neleus and Basile, according to the provisions of the commissioners, on a lease of twenty years; and the lessee shall enclose the Sanctuary of Kodros,

The letters *κλεπτης* at the end of the inscription, and whatever may have preceded them, have no connection with the decree. They are in later characters and, as Koumanoudes suggests, may have been the work of some *ματαιόσχυλος*.

<sup>2</sup> *κατὰ τὰς ξυγγραφάς*. See DITTENBERGER, *Sylloge Inscriptionum Graecarum*, p. 24: "Haud raro populus Atheniensium aut uni homini aut collegio decenvirorum vel trigintavirorum mandabat ut de certa quadam re legem conscriberent, quae deinde senatus populiue suffragiis rata fieret. Hoc legum genus, medium quodammodo inter νόμους et ψηφίσματα, intellegendum est, ubi quid fieri dicitur *κατὰ τὰς ξυγγραφάς*, cf. *C. I. A.* I, 31, A. 15 (*Sylloge*, 12). *C. I. A.* I, 96, 533. Lysias xxx, 17." For a more extended discussion of the *ξυγγραφαί*, see *Bulletin de Correspondance Hellénique*, IV, pp. 248 ff. The inscription there discussed is published *Sylloge*, 13.

- 15 ὅση]ν δ' ἂν ἄλφῃ μ[ίσθ]ωσιν τὸ τέμενος κατὰ τὸν ἐνιαυτὸν ἕκαστον καταβαλλέτω τὸ ἀργύριον ἐπὶ τῆς ἐνάτ[ης] π[ρ]οϋτανείας τοῖς ἀποδέκται[ς]. οἱ δὲ ἀποδέκται τοῖς ταμίῃσι τῶν ἄλλων θεῶν παραδιδόντων κατὰ τὸν νόμον· ὁ δὲ βασιλεὺς ἂν μὴ ποιήσῃ τὰ ἐφσιγισμένα ἢ ἄλλο]ς τις οἷς προστέτακται περὶ τούτων ἐπὶ τῆς Αἰγῆίδος πρυτανεί-
- 20 α]ς, εὐθυνέσθω μυρίῃσι δραχμῇσιν τὸν δὲ ἐωνημένον τὴν ἰλὺν ἐκκομίσασθαι ἐκ τῆς τάφρου ἐπὶ τῇσδε τῆς βουλῆς ἀποδόντα τὸ ἀργύριον τῷ Νηλεῖ ὅσου ἐπρίατο. ὁ δὲ βασιλεὺς ἐχθαλειψάτω τὸν πριάμενον τ-  
 Ην ἰλὺν ἐπειδὰν ἀποδῷ τῇμ μίσθωσιν, τὸν δὲ μισθωσάμενον τὸ τέμενος καὶ ὁπόσου ἂν μισθώσεται ἀντενγραφσάτω ὁ βασιλεὺς ἐς τὸν τ-
- 25 οῖχον καὶ τοῖς ἐγγυητάς κατὰ τὸν νόμον ὅσπερ κεῖται τῶν τεμένων. τὸ δὲ φσῆφισμα τόδε, ὅπως ἂν ᾗ εἰδέναι τῷ βουλομένῳ, ἀναγράψας ὁ γραμματεὺς ὁ τῆς βουλῆς ἐν στήλῃ λιθίνῃ καταθέτω ἐν τῷ Νηλείῳ παρὰ τὰ ἱκρία, οἱ δὲ κωλακρέται δόντων τὸ ἀργύριον ἐς ταῦτα. μισθοῦν δὲ τὸν βασιλέα τὸ τέμενος τοῦ Νηλέως καὶ τῆς Βασίλης κατὰ
- 30 τάδε· τὸν μισθωσάμενον εἰρῆσαι μὲν τὸ *Ηιερόν* τοῦ *Κόδρου* καὶ τοῦ *Νηλέως* καὶ τῆς *Βασίλης* κατὰ τὰς χσυνγραφὰς ἐπὶ τῆς βουλῆς τῆς εἰσιούσης, τὸ δὲ τ[έμ]εν[ος] τοῦ *Νηλέως* καὶ τῆς *Βασίλης* κατὰ τάδε ἐργάζεσθαι· φυτεῦσαι φυτευτήρια ἐλαῶν μὴ ὀλείζων ἢ διακόσια πλέονα δὲ ἂν βούληται, καὶ τῆς τάφρου καὶ τοῦ ὕδατος κρατεῖν τοῦ ἐγ *Διὸς* τὸν μισθωσά-
- 35 μενον, ὁπόσον ἐντὸς ῥεῖ τοῦ *Διονυσίου* καὶ τῶν πυλῶν, ἢ ἄλλαδε ἐ[χ]σελεύουσιν οἱ μύσται καὶ ὁπόσον ἐντὸς τῆς οἰκίας τῆς δημοσίας καὶ τῶν πυλῶν αἱ ἐπὶ τὸ *Ἰσθμονίκου* βαλανεῖον ἐκφέρουσι· μισθοῦν δὲ κατὰ εἴκοσι ἐτῶν.

— κλεπτῆς

This important inscription (PL. III-IV) was found in the winter of 1884-85 while diggings were made for the foundation of a new house some distance southeast of the Akropolis of Athens, to the left of the steam-tramway which leads to Phaleron.<sup>3</sup> It is inscribed on a stele of Pentelic marble 1.49 met. in height, 0.64 met. in width and 0.20 met. in thickness. The top of the stele is finished in the shape of a small pediment, and in this are the traces of a relief which, together with the protecting cornice, was much mutilated when the stone was subsequently dressed for building into a wall. The relief seems to have contained, on

<sup>3</sup>The inscription is now in the yard of the National Museum.

Neleus and Basile at his own cost, and whatever money the temenos yields as its annual rent he shall pay down to the Apodektai in the ninth prytany; the Apodektai, in accordance with the law, shall hand it over to the Treasurers of the other gods. And the Basileus, or any other person in whose charge these things have been placed, if he shall not do that which has been decreed, during the prytany of the Aegæis, shall be fined 1,000 drachmae. The person who buys the mud shall remove it from the trench, when he has payed its price to Neleus, during the existence of the present Senate. The Basileus shall erase (the name of) the buyer of the mud, whenever he shall make the payment, and in its place he shall write (*ἀντεγγράψτω*) upon the wall (the name of) the lessee of the temenos with the amount of the rent and (the names of) the bondsmen, according to the law for the regulation of sanctuaries. For the information of such as desire it, the Scribe of the Senate shall cause the decree to be engraved upon a stone stele and shall set it up in the Neleion next the staging, and for this purpose the Kolakretai shall give the money. The Basileus shall let the temenos of Neleus and Basile under the following conditions: The lessee shall enclose the Sanctuary of Kodros, Neleus and Basile according to the provisions of the commissioners during the term of the Senate now entering upon its duties, and he shall cultivate the temenos of Neleus and Basile in the following way: He shall set out no less than two hundred young olive trees, and more if he chooses; and the lessee shall have control over the trench and all the rain water which flows within the Dionysion and the gate at which the mystai go forth to the sea, and within the *οἰκία δημοσία* and the gate which leads to the Bath of Isthmonikos. The lease shall run for twenty years.

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the left, a bearded man seated, and with his left arm extended forward and upward; on the right, a man on horseback whose chlamys floats behind him in the wind. The first publication of the inscription was by Koumanoudes in the *Ἐφημερίς Ἀρχαιολογική* (1884, p. 161), but he has not treated it in detail; Ernst Curtius also briefly discusses the inscription (*Sitzungsberichte der Berl. Akademie*, May 21, 1885), but without publishing the text, his chief object being to determine, if possible, the exact location of the Sanctuary in question.<sup>4</sup> In my own study of the decree, I have been greatly assisted by Dr. J. R. S. Sterrett, who not only

<sup>4</sup> Brief notices of the inscription are in the *Am. Journal of Archaeology*, I, pp. 228, 469.

made for me a careful copy directly from the stone, but sent me also an impression of the inscription which has been of great help. This has enabled me to correct, in two places, readings given by Koumanoudes, and thus to discover the sense where the meaning has hitherto been obscure. In l. 18, where Koumanoudes has ΠΟΛΕΞΕΙ, I have given ΠΟΙΕΞΕΙ, a reading which the impression makes perfectly clear, and which the sense demands.<sup>5</sup> Again, in l. 22, I have given ΕΧΞΑΝΕΥΑΤΟ for the incorrect form ΕΧΚΑΝΕΞΑΤΟ of Koumanoudes. After the Χ the impression shows a Ξ without any doubt, and the Υ, although greatly blurred, is reasonably certain.<sup>6</sup> The general sense of the passage, too, and especially ἀντενγγραψάτω l. 24, assures the correctness of the reading.<sup>7</sup> In l. 35 at the end, I have restored ἐ[χ]σελα|ύνουσιν where Koumanoudes reads εἰσελα|ύνουσιν. The second letter of the word is hopelessly gone, but the indentation upon the stone in the place of the missing letter is round and thus points rather to Χ than to Ι. ἀλαδὲ εἰσελαύνουσιν cannot be the right reading.

<sup>5</sup> Dr. STERRETT writes: "There can be no doubt about any of the letters in this word except the last Ε which is exceedingly faint."

<sup>6</sup> In regard to the form ψ Dr. STERRETT writes: "My opinion, after a prolonged and careful inspection of the stone and the impression, is that the letter is ψ."

Against the restoration of ἐξαλειψάτω the fact that the undoubtedly genuine diphthong εἰ is represented by the character Ε and not by ΕΙ—as it is in the inscription cited in Note 8—can hardly count as a weighty argument. This irregularity may be due to the carelessness of the stone-cutter, of which there is abundant evidence, or to the confusion common at this time in the writing of the genuine and spurious diphthong εἰ. Carelessness in engraving is shown (l. 8) by the form εἰσεβέστα and by the fact that (l. 27) the iota adscripta in στήλη λιθίνη were evidently left out in the first place and subsequently added (this irregularity does not appear in the copy). Further (l. 35) we have Ε = η.

Cases of εἰ representing the spurious diphthong are common enough in inscriptions of the latter half of the fifth century B. C., with a few instances still earlier. See MEISTERHANS, *Grammatik der attischen Inschriften*, p. 7, and P. CAUER in Curtius's *Studien* VIII, pp. 230 and 255 ff. This is, of course, evidence that the genuine and spurious diphthong were coming to be no longer distinguished in pronunciation. On the other hand, instances like the one before us (ΕΧΞΑΝΕΥΑΤΟ), in which Ε stands for the genuine diphthong, are rare though not unknown. Cf. *C. I. A.* IV, 373 a. Πε(ι)-σδος, and the instances in which ὀλείζων is written with the simple Ε, *C. I. A.* I, 9. 10; 37 a, 17; and the inscription now under consideration, l. 33. In this word etymologists may not agree as to the precise *origin* of the diphthong εἰ, but, so far as I know, there is no difference of opinion about its being classed as genuine. A few similar irregularities exist in regard to the writing of ου.

<sup>7</sup> Cf. *C. I. A.* I, 32. 10: ἀποδόντων[δὲ τ]ὰ χρήματα οἱ πρυτάνεις μετὰ τῆς βουλῆς καὶ ἐξαλειφόντων ἐπει[δὲν] ἀποδώσιν, κ.τ.ε.

In considering the inscription, I will first examine the character of the letters, methods of spelling and the like, and will then comment on the subject-matter.

The decree is dated in the Archonship of Antiphon (Ol. 90. 3 = 418 B. C.), and the confusion which existed at Athens in the spelling at this time is singularly well illustrated in it. The character Η occurs seven times: four times it is used to mark the rough breathing, and always in the word *ἑρὸν* (ll. 4, 7, 13, 30); three times it represents the long ε-sound (ll. 9, 10, 23). The Attic form υ is used by the stone-cutter, except in two instances (l. 12, ΝΕΛΕΟΞ, l. 26, ΒΟΛΟΜΕΝΟΙ). A more uncommon form in the early inscriptions is the Ionic letter Υ (l. 22);<sup>8</sup> indeed, so far as I know, the only other inscription before Eukleides in which it exists is *C. I. A. I.* 13 (before 444 B. C.), where it occurs twice in the word *φῆψιμα*. *C. I. A. I.* 283, where it is also found (l. 22), though referring to 434–3 B. C., was not engraved until after 403 B. C. In l. 5 we have *συγγραφάς*, in ll. 7, 13, 31, *χσυγγραφάς*. The following words afford examples of the spurious diphthong ει written as if it were genuine: *ἐπεσάτει*, l. 2. *εἶναι*,<sup>9</sup> l. 9. *εἰρεμένα*, l. 10. *εἰσιόσεις*, l. 31. For the character ε representing the genuine diphthong see Note 7, where the mistake also of the stone-cutter (l. 8) is noted. The spelling of the genuine and spurious diphthong ου, however, presents no peculiarities. In the examples of the dative plural of o-stems (ll. 16, 17, 19) the shorter form in -αις occurs, a not unusual thing even in much earlier inscriptions;<sup>10</sup> whereas, on the other hand, those of α-stems, which occur ll. 10, 17, 20, are the latest examples of the long endings which the Attic inscriptions have yet afforded (see Meisterhans, p. 48). In stems where the α is retained, the ending is ΑΙΞΙ, i. e. *γαι* (see Meisterhans, p. 49, Note 480); in those, however, which take η, the simple -ηαι is used. Especially to be noted is *μυρίηαι* (l. 20), a violation of Attic usage difficult to account for. The shorter form of the dative plural occurs once (ll. 16, 17) in the word *ἀποδέχταις*. Lines 20, 23 afford, I believe, the only evidence we have from *inscriptions* that the spelling *εἰλύς*, not *εἰλός*, is correct. Noteworthy is *πλέονα*<sup>11</sup> (l. 33) as an example of the longer form. The statement, therefore, of Meisterhans (*Grammatik*,

<sup>8</sup> KIRCHHOFF, *Studien zur Gesch. d. griech. Alphabet*, p. 82.

<sup>9</sup> This spelling of *εἶναι* is so common, even earlier, that it can hardly be reckoned as a peculiarity.

<sup>10</sup> MEISTERHANS, *Grammatik der attischen Inschriften*, p. 51.

<sup>11</sup> Probably not *πλείονα*: MEISTERHANS, p. 68.

p. 67), that down to 100 B. C. only the shorter forms in *-ω* and *-ους* are found, must be modified.<sup>12</sup> Among peculiarities of syntax may be noticed particularly (ll. 37, 38) *κατὰ εἴχουσι ἐτῶν*, where we should, of course, expect either the preposition with the accusative, or the accusative alone as in l. 13.

Examining the subject-matter of the decree, we find that it clearly consists of two parts: the first, extending as far as l. 11, is the original *προβούλευμα* of the Senate, the second, from l. 11 to the end, is the amendment which was doubtless added in the Assembly. The *προβούλευμα* belongs to that class of these documents in which the Senate did not content itself with merely introducing a given question to the Assembly, but also made definite proposals on its own account.<sup>13</sup> Adousios,<sup>14</sup> who introduced before the Senate the bill for the restoration and better administration of the Sanctuary in question, was led, we may suppose, by the discussion of the *προβούλευμα* in the Assembly to make his proposals more definite, and thus he himself becomes the mover of the amendment to his own bill. The *προβούλευμα* is complete in itself, and all that the Scribe had to do in preparing the decree for publication was to complete the formula of sanction by adding *καὶ τῷ δήμῳ*, and to append the amendment.<sup>15</sup> The Scribe and Epistates cannot be identified with any others of the same names.

The Sanctuary, in regard to which this decree was passed, and which very likely fell into decay in consequence of the vicissitudes of the Peloponnesian War, is variously styled *τὸ ἱερόν τοῦ Κόδρου καὶ τοῦ Νηλέως*<sup>16</sup>

<sup>12</sup> RIEMANN, *Revue de Philologie*, 1885, p. 184.

<sup>13</sup> GILBERT, *Gr. Staatsalterthümer*, I, pp. 276, 281 f.

<sup>14</sup> It seems hardly possible to determine with certainty whether this name was Adousios or Adosios. If it can be connected in any way with the word *ἀδοῦσιον*, which HESYCHIOS defines as *ἐραστόν, σύμφωνον* (cf. also HESYCH., s. v. *ἀδουσιασάμενοι· διελόμενοι, ὁμολογοῦμενοι*), the former spelling would seem most probable. See, however, also the word *ἀδίσιος* in Hesyeh. The form *ἀδουσιάσασθαι* is to be found in an inscription published in the *Ἐφημερίς Ἀρχαιολογική*, 1884, p. 133, and noticed in *Am. Journal of Archaeology*, I, p. 264. ΚΟΥΜΑΝΟΥΔΗΣ ('Εφ. Ἀρχ. II.) says of this word: *Ἐνταῦθα δὲ φαίνεται κείμενον ἐπὶ τῆς σημασίας τοῦ ἐλέσθαι ἢ στέρξαι ἢ συμφωνίᾳ λαβεῖν*. It seems, however, to have some meaning in connection with tribal registration. The only other place besides our inscription in which the name Adonsios occurs is XEN. *Kyropaid.* 7. 4. 1 and 8. 67, where by the latter reference it is the name of a Karian Satrap. It would, however, hardly be safe to base the form of the Athenian's name on these passages.

<sup>15</sup> GILBERT, *Jahrb. f. Phil.* Vol. 119 (1879) p. 228.

<sup>16</sup> This name is also found written *Νειλεύς*, and it may be questioned whether, when it refers to the son of Kodros, it should not always be so written. Cf. STEPH. *Thesaurus*, s. v. *Νειλεύς*.



καὶ τῆς Βασιλῆος<sup>17</sup> (ll. 4, 14, 30), τὸ τέμενος τοῦ Νηλέως καὶ τῆς Βασίλης (ll. 29, 32), and also simply τὸ Νήλειον (l. 27).<sup>18</sup> It appears, too, from the beginning of Plato's *Charmides* that it was also known as, τὸ τῆς Βασίλης ἱερόν.<sup>19</sup> Apart, however, from this inscription, and the hitherto uncertain passage in the *Charmides*, nothing whatever is known of the existence of the cult which has now come to light. That Kodros should be honored in this wise is most natural, and the location of the Sanctuary at no great distance from the Ilissos (see ll. 34 ff.) makes it probable that the legend of the king's death may have been connected with the creation of a temenos in honor of his memory. Pausanias (I, 19. 5), in speaking of the Ilissos, says that Kodros was killed near it, and the epigram (*C. I. A.* III, 943 = Kaibel, 1383) tells us that his grave was ὑπ' ἀκροπόλει.<sup>20</sup> What could have been the special reason, however, for including Neleus in the Sanctuary is not so clear. With Athens, except as the son of Kodros, he has little connection, and his grave, Pausanias says (VII, 2. 6), was at Branchidai (Didymoi) near Miletos.

<sup>17</sup> CURTIUS writes Βασίλῃ instead of Βασίλῃ. The former accentuation is preferred by Boeckh, who discusses the point *C. I. G.* II, p. 108; with which cf. especially his *Adn. Crit. ad Pindar. Nem.* I, 39; and *Pyth.* IV, 5. Cf. also BUTTMANN, *Ausfl. Gram.* § 119, 51. These would make the form a contraction of Βασίλεια. But LOBECK (*Pathologiae sermonis graecae prolegg.* pp. 43 sqq.) shows conclusively that we are not justified in changing the traditional accent Βασίλῃ to Βασίλῃ on this theory. He quotes ARKADIOS, p. 109, τὰ εἰς ἰλῃ ὑπερδισύλλαβα βαρύνεται παστίλῃ (σπαστίλῃ) μαρίλῃ, μυστίλῃ, and adds, "ubi βασιλῃ excidisse apparet ex canone Theognosti p. 111 barytona in ἡλῃ et ἰλῃ complexo. Cf. STEPH. BYZ. s. v. 'Αγάμεια λέγεται δὲ καὶ 'Αγάμη, ὡς πρέσβεια πρέσβη, καὶ τὸ βασιλῃα κατὰ συναλοιφὴν βασιλῃ, οὕτως 'Αγάμεια 'Αγάμη. Etym. Mag. 397, 43, Πλειστοδόκη, Πλειστοδόκεια. Λαοδάμη, Maxim. 93, Schol. Eurip. *Orest.* 5, Λαοδάμεια, 'Ιπποκράτη—εια, Διομήδῃ—εια, Τιμάρτη—εια, Anth. app. 'Αλέξανδρα—εια." Cf. LOBECK, *Paralipomena grammaticae graecae*, p. 321.

<sup>18</sup> CURTIUS prefers to write τὸ Νηλῆιον.

<sup>19</sup> The passage from the *Charmides* is usually given as follows: καὶ δὴ καὶ εἰς τὴν Ταυρέου παλαιστραν τὴν καταντικρὺ τοῦ τῆς βασιλικῆς ἱεροῦ εἰσέλθον. Codd. A and B (Bekker) have βασιλῆος and βασιλῆος. URLICHS (*Rhein. Mus.* N. F. 12, p. 307) proposed to read Βασίλειας instead of the obscure form βασιλικῆς, and Loeschcke suggests the same emendation in a Dorpat Program for 1884 (*Vermuthungen zur griechischen Kunstgeschichte und zur Topographie Athens*, III). The inscription shows that the true reading is without doubt τοῦ τῆς Βασίλης ἱεροῦ.

<sup>20</sup> The words of PAUSANIAS are: δέκνυται δὲ καὶ ἐνθα Πελοποννήσιοι Κόδρον τὸν Μελάνθον βασιλεύοντα 'Αθηναίων κτείνουσι. The epigram is as follows:

Κόδρον τοῦτο πέσημα Μελανθειδάο [ἀνακτος],  
 εἶνε, τὸ καὶ μεγάλην 'Ασίδα τευχίσαι[ο].  
 σῶμα δ' ὑπ' ἀκροπόλει φέρων τάρχυσεν ['Αθηνέων]  
 λάος, ἐς ἀθανάτους δόξαν ἀειράμενος.

On the death of Kodros, see GROTE, *Hist. of Greece*, Part I, c. XVIII, section III (2).

Nevertheless, as oekist of Miletos,<sup>21</sup> he was the means of spreading Athenian influence and doing honor to his mother city; and it is not without weight that this is suggested in the epigram by the words *πέσσημα—τὸ καὶ μεγάλῃν Ἀσίδα τεργίσαιτο*, which may doubtless be interpreted to mean that the death of Kodros was the indirect cause of the settlements on the coast of Asia Minor; that is, of the going forth of the *ἀποικία* with Neleus.<sup>22</sup> Curtius, in his brief discussion of this decree, already alluded to, takes the not unlikely view that the establishment of the Sanctuary to Neleus belongs to the period when the Athenians lent their assistance to the twelve Ionic cities in their revolt against Persia about 500 B. C.

It should be noted that, although the temenos was common to Kodros, Neleus and Basile, more than one Sanctuary existed (*cf.* l. 7, *τὰ ἱερά*); and further, that Neleus seems to have been of special importance, since it is provided (l. 27) that the stone be set up *ἐν τῷ Νηλείῳ* and that the buyer of the mud shall pay its price to Neleus (l. 22).

A still more difficult matter to understand is the connection of Basile with Kodros and Neleus. It seems, however, most reasonable to consider, with Curtius, that she was simply a personification of kingly power, since thus her union with Kodros and Neleus at Athens would be singularly fitting. In this connection, it is interesting to note the fine personification of kingly might which Hermes is represented as showing to Herakles under the form of a beautiful woman, in the first Oration of Dio Chrysostomos. Here *Βασίλεια* appears as *μακαρία δαίμων, Δὸς βασιλέως ἔχρονος*, and she is represented as being surrounded by *Δίκη, Εὐνομία, Εὐρήνη* and *Νόμος*. Again (Diodoros, III, 57) *Βασίλεια* is described as one of the daughters of *Θύρανός* and *Γῆς*, *σωφροσύνη τε καὶ συνέσει τῶν ἄλλων διαφέρουσα*. Aristophanes also (*Birds*, 1535 ff., 1753) personifies the kingship of Zeus under the figure of *καλλίστη χόρη Βασίλεια*, and the Scholiast tells us that Kratinos used a similar figure.<sup>23</sup>

<sup>21</sup> GROTE, *Hist.* Part I, c. VI, section I, and Part II, c. XIII. Also GILBERT, *Gr. Staatsalterthümer*, II, p. 138 f.

<sup>22</sup> *Cf.* Commentary of C. I. A. on the epigram, where, in answer to the view that *Ἀσίδα* refers to Attika, which was anciently also called *Ἀσίς* (Euphorio, *ap. schol. Dionys. Perieg. ad v. 60*), it is said: "quamquam potest etiam ita explicari, ut morte Codri (praeter Atticam ab incursione hostium liberatam) etiam id effectum esse dicatur, ut Asiae ora oppidis munitis cingeretur."

<sup>23</sup> Various attempts have been made to identify *Βασίλεια* at Athens with other divinities. For instance, WIESELER (*Adversaria in Aeschyli Prometheus et Aristophanis Aves*, p. 124) seeks to prove that she is Athena, and more recently LOESCHCKE (see Note 20) has attempted to identify her with *ἡ μεγάλη Μήτηρ*, and to place her sanctuary in the

The personification, therefore, of kingly power in some such way as in the instances cited can hardly be deemed a forced conception, and the association in a common Sanctuary of such a being with the two persons who represent in an eminent degree the royalty of Athens is surely very appropriate. Yet it is not to be denied that, after all, this explanation of Basile is little more than a conjecture.

The location of the temenos of Kodros, Neleus, and Basile may, in general, be considered certain. The inscription (ll. 34 ff.) gives four points within which the lessee of the temenos is to have control of the rain-fall for purposes of irrigation, and, if we can fix even three of these approximately, we shall know about where the Sanctuary lay. The points are the Dionysion and the gate at which the mystai go forth to the Sea, the οἰκία δημοσία, and the gate which leads to the bath of Isthmonikos. It is evident, roughly speaking, that the first two points constitute the northern and southern, the last two the western and eastern boundaries of this space. The position, then, of the first two points, the Dionysion and the gate used by the mystai, which must, at any rate, have been near the Itonian gate, may within narrow limits be known. The eastern point also, the gate leading to the bath of Isthmonikos, which we must suppose to have been near the Ilissos, was doubtless somewhere not very far distant from Kallirrhoë. The position of the οἰκία δημοσία, the western boundary, we can unfortunately not fix, but, from our approximate knowledge of the other three points, we shall not be far wrong in placing the temenos in the neighborhood of the present military hospital. This is the position Curtius has assigned to it; indeed any other is hardly possible, and, to illustrate his article, he has published a little map which is helpful, if we remember that it can only indicate the *general* location of the Sanctuary.<sup>24</sup> The

Μητροῶν. To this article I shall have occasion to refer in another connection. The following inscription seems to show that Βασίλεια was worshiped in Thera. Θεᾷ(ι) βασιλεία(ι) Ἐπ[ί]λ[ο]χος καὶ [Π]ε[ρ]ι[χ]αρίστα χαριστέιον. Cf. L. Ross, *Mon. dell' Inst.* III, 26, 9; *Annali dell' Inst.* XIII, p. 20. The inscription has been more lately published in the *Gazette Archéologique* 1883, p. 221 ff. pl. 37, where there is a representation of the small temple in which it was found. In the *Gazette* the view is taken that the building was sacred to Basileia; Ross, on the other hand, held her to be only the protectress of the Sanctuary, which he thought was a Heroön.

<sup>24</sup> It may not be without profit, in this connection, to note some of the topographical conjectures which have been overthrown by the discovery of the general location of τὸ τῆς Βασίλης ἱερὸν. From the passage in the *Charmides* (see Note 20) it is evident that, if the Sanctuary of Basile can be located, the position of the Palaistra will, in a general way, be known. Thus KONRAD LANGE (*Haus und Halle*, p. 99) would identify τὸ τῆς Βασίλης ἱερὸν with ἡ βασιλείος στοά, a hardly possible identity in any case,

position of the *τάφος* mentioned in l. 21 cannot be known with perfect certainty. Curtius has given it on his map as running from the Dionysion to a point in the city-wall just east of the Itonian gate and thence to the Ilissos. This, in all probability, was the general direction of the trench, since it can hardly have served any other purpose than to drain the once marshy quarter of the city known as *αἱ Λίμναι*. It is not unreasonable to suppose that such a trench formed the outlet of the subterranean gutter which carried the water from the Orchestra of the Theatre, where during the winter months great quantities must have collected.

It remains to consider a few matters of interest in our decree which may perhaps be classed under the heading of Public Antiquities.

The fact that among the Greeks generally the State had the right to let, at any rate in many cases, the lands of temples, is so well known as to need no more than passing comment. The question is treated in Boeckh's *Staatshaushaltung* (3d ed.) I, pp. 372–377, and somewhat more specially in relation to the inscriptions bearing upon it in Reinach's *Traité d'Épigraphie Grecque*, pp. 94 ff. The most notable inscriptions in this connection are those from Herakleia in Lucania, *C. I. G.* 5774/5. A difficult and uncertain point is that in regard to the constitution of the board called Horistai (l. 7). Were they, at Athens, a permanent body, or were they appointed in a given case, perhaps *κατὰ τὰς ξυγγραφάς*? The most important evidence for the permanent existence of such a board that literature affords is to be found in Hypereides, *ὅπῃ Ἐὐξενίππου* XXIX, where the orator uses these words: *ταύτας τὰς φυλάς ἔγραψας ἀποδοῦναι τὸ ὄρος τῷ Ἀμφιαράῳ καὶ τὴν τιμὴν ὧν ἀπέδοντο, ὡς πρότερον τοὺς ὀριστὰς τοὺς πενήκοντα ἐξελόντας αὐτὸ τῷ θεῷ καὶ ἀφορίσαντας* x. τ. ξ. . I am aware that some scholars have not thought that this passage gives any real evidence of the existence at Athens of

and he would in this manner bring the Palaistra of Taureas among the endless questions which concern the Agora. Our inscription does away with this. Again, LOESCHCKE, in the article already referred to (Notes 20, 24), having skilfully made out the identity of *Βασιλεία* with *ἡ μεγάλη Μήτηρ* and placed her sanctuary in the *Μητροῶν*, would locate the Palaistra of Taureas on the southern half of the eastern side of the Agora, where Lange places the Eleusinion. He then proceeds to use the fact of the identity of *Μήτηρ* and *Βασιλεία* to prove that the temple of *Εὐκλεία* and *Εὐνομία* mentioned by PAUSANIAS (*Cf.* WACHSMUTH, *Stadt Athen*, I, p. 173) must have been on the Agora, since the mutual connection of *Εὐκλεία* and *Βασιλεία* with *Εὐνομία* (*cf.* ARISTOPH. *Birds*, v. 1540) justifies such a view, and a stone has been found in the region of the Agora (*C. I. A.* III, 207) bearing the inscription *Μητροῦς [θε]ῶν καὶ [Ἀρ]τέμιδος*. See *Papers of the Am. School at Athens*, I, p. 167, inscription No. 32. LOESCHCKE's interesting argument can now be set aside.

a permanent boundary commission;<sup>25</sup> and yet it seems to me that the burden of proof rests with those who deny it. The date of this oration of Hyperides falls between 330 and 324 B. C., but Blass (*Att. Beredsamkeit*, III. 2. p. 54) holds the probably correct opinion, that the fixing of the boundary in question, that of the land sacred to Amphiaraios at Oropos, took place many years before. The evidence, therefore, of this passage points very likely to a period earlier than might at first seem to be the case. A passage also in Bekker's *Anecdota* (I, 257) should not be passed over in this connection. It is as follows: ὀρίσται· ἀρχὴ τίς ἐστίν, ἥτις ἀφώρξε τὰ ἴδια καὶ δημόσια οἰκοδομήματα πρὸς τὰ οἰκεία ἐχάστου μέτρα, ὥσπερ τινὲς ὄντες γεωμέτραι καὶ ὀριοδεῖχται. Nor does it seem without weight that we know ὀρίσται to have existed in Chios and in Herakleia of Lucania<sup>26</sup> as early as the fourth century B. C. Against the view that the Horistai at Athens were a permanent body it might possibly be argued that in the important Eleusinian inscription found a few years ago,<sup>27</sup> and not much older than the one before us, we have a provision for fixing the boundaries of the Pelargikon, where no mention is made of the Horistai. It runs: τὸν δὲ βασιλέα ὀρίσαι τὰ ἱερὰ τὰ ἐν τῷ Πελαργικῷ. At the same time, that which concerned the Pelargikon might be held to partake of an exceptional character and hence to require the offices of the Basileus in person. We cannot perhaps prove that the Horistai were a permanent board at Athens, but, on the whole, it seems to me that the weight of evidence is in favor of that view. In conclusion, attention must be called to the Apodektai (II. 16, 17), who are not elsewhere mentioned in inscriptions of the fifth century B. C. This fact has led some scholars to doubt the truth of the statement in Harpokration, that they were introduced first by Kleisthenes, and by such they have been placed among the changes introduced at the time of the archonship of Eukleides.<sup>28</sup> We have now no reason to doubt the statement in Harpokration.

J. R. WHEELER.

<sup>25</sup> HERMANN'S *Rechtsalterthümer* (ed. Thalheim, 1884), p. 49. *C. I. A.* II, 564 (*Sylloge*, 295) which is cited does not seem to me to furnish any evidence against the existence of a board of Horistai.

<sup>26</sup> GILBERT, *Gr. Staatsalterthümer*, II, pp. 155, 246, 333.

<sup>27</sup> Published, *Bulletin de Correspondance Hellénique*, IV, p. 225 ff. (DITT., *Sylloge* 13).

<sup>28</sup> This is the view taken in MEIER and SCHOEMANN, *Attischer Process* (ed. Lipsius) I, p. 110; where J. CHRIST is cited, *De publicis populi Atheniensium rationibus*, 1879, p. 15 ff. BOECKH always held to what now seems certainly the correct view; cf. *Staatshaushaltung* (3d ed.), I, 193.

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ΚΛΕΡΤΗΕ

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